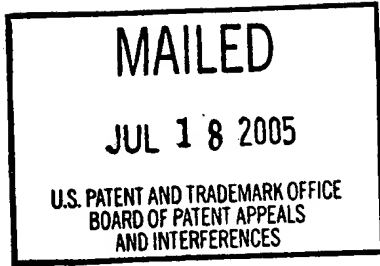


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte SUSAN DAY, JUAN DE PENA,  
STEVEN H. SCHEERHORN, MARLEEN PIZZUTI,  
ELAINE TUMAVITCH, and MICHAEL SOBCZAK

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Application No. 09/707,111

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received at the Board of Patent Appeals and Interferences on June 22, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:


1.) On December 10, 2004, an Examiner's Answer was mailed. In reference to Office Actions by the United States Patent and Trademark Office (USPTO) the Manual of Patent Examining Procedure (MPEP) § 707.08 (8th ed., Rev. 2, May 2004) states in part:

Application No. 09/707,111

- (d) the examiner to have the matter of payment of the Appeal Brief filing fee corrected as required, and
- (e) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:

  
\_\_\_\_\_  
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Order of re-scan issued on .....